

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL W. DANCER,

Plaintiff,

v.

G. STEVEN HAMMOND, et al.,

Defendants.

Case No. C10-5393BHS/JRC

REPORT AND RECOMMENDATION

NOTED FOR:
MARCH 25,2011

This 42 U.S.C. § 1983 civil rights action is referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrates Judges' Rules MJR 1, MJR 3, and MJR 4. Plaintiff was ordered to provide service copies of his complaint on January 12, 2011. He was given until February 10, 2011, to comply with that order (ECF No. 11). As on February 22, 2011, no service copies have been received.

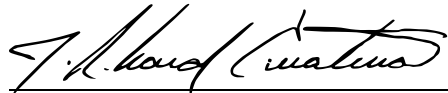
The court recommends this action be **DISMISSED WITH PREJUDICE** for failure to prosecute and failure to comply with a court order.

Fed. R. Civ. P. 41 (b) states that if a plaintiff fails to prosecute an action or fails to comply with a court order the action may be dismissed. The rule also states that dismissal under

1 this section acts as an adjudication on the merits. Accordingly the court recommends that this
2 action be DISMISSED WITH PREJUDICE.

3 Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties shall have
4 fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P.
5 6. Failure to file objections will result in a waiver of those objections for purposes of de novo
6 review by the district judge. See 28 U.S.C. § 636(b)(1)(C). Accommodating the time limit
7 imposed by Fed. R. Civ. P. 72(b), the clerk is directed to set the matter for consideration on
8 March 25, 2011, as noted in the caption.
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10 Dated this 22nd day of February, 2011.

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14 J. Richard Creatura
15 United States Magistrate Judge
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